SINGLE BENCH (4) (9)

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IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT

BILASPUR

W. P. (S) NO. 5365 / 2006

Petitioner : Smt. Shakun Manikpuri,
W/o Shri Ravi Das Manikpuri,
Aged about 44 years,
Asst. Teacher, Govt. Girls Middle
School Bankisight, Block-Khatgora,
Dist : Korba-(C.G.)

P.R. No. 5405/06 Bilaspur
Presented on 27/09/06
dated

Versus

Respondents /1. State of Chhattisgarh
Through - The Secretary,
Department of School Education,
D.K.S. Bhawan, Raipur,
Dist : Raipur-(C.G.)

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/2. District Education Officer,
Dist : Korba-(C.G.)

/3. Asst. Commissioner
Tribal Welfare Department,
Dist : Korba-(C.G.)

/4. Block Education Officer,
Khatgora, Dist : Korba-(C.G.)

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THE MATTER.

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HIGH COURT OF CHHATTISGARH AT BILASPUR
W.P.(S) No. 5365 of 2006

Petitioner : Smt. Shakun Manikpuri
Versus
Respondents : State of Chhattisgarh & others

And

W.P.(S) No. 5375 of 2006

Petitioner : Smt. Shashi Prabha Sonpure
Versus
Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Anil Singh Rajput, Advocate for the Petitioners.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER
(9th October, 2006)

1. Learned counsel appearing for the petitioners submit that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P.(s) Nos. 5365/2006 and 5375/2006 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of

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this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificates on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of one connected writ petition.

Sd/-
Satish K. Agnihotri
Judge

Subhash